

## **II. Remarks**

Claims 1-7 were pending in this application and have been rejected. By the present amendment, Applicants have amended claims 1-3 to correct minor typographical errors and to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1-7 will be pending.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

### Drawings

The drawings were rejected under 37 C.F.R. § 1.83(a) for failing to show every feature of the invention specified in claim 2. Applicants have amended claim 2 to recite "the belt retractor housing includes one of a circular, a square and a rectangular cross section". The circular cross section is illustrated in Figures 2 and 3, and the square and rectangular cross sections are disclosed in paragraph [0021]. Since claim 2 specifies that only one of the features need be present and since the circular cross section is illustrated in the Figures 2 and 3, Applicants believe that the amendment to claim 2 has cured the objection to the drawings.

Claim Objections

Claims 1 and 2 were objected to for certain informalities. Claims 1 and 2 have been amended as suggested by the Examiner by changing “a the” to “the” in claim 1 and “the a” to “the” in claim 2. Accordingly, Applicants believe that the amendments to claims 1 and 2 have cured the respective objections.

Rejections under 35 U.S.C. § 112

Claims 1-7 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as their invention. In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 1-7 are traversed.

Claim 1 has been amended to recite “a safety belt” and “a plane”. These amendments were in response to the objections that “the safety belt” and “the plane” in claim 1 lacked antecedent basis. Moreover, claim 3 has been amended to recite “the drivewheel” which has antecedent basis from claim 1. This amendment was in response to the objection that “the drivewheel arrangement” lacked antecedent basis. Accordingly, Applicants believe that the amendments to claims 1 and 3 have cured the 35 U.S.C. § 112, second paragraph, rejections of claims 1-7.

Rejections under 35 U.S.C. § 102

Claims 1-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,881,962 issued to Schmidt, et al. ("Schmidt"). In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 1-7 are traversed.

Claim 1 has been amended to recite that the tube includes at least one straight section that stores at least a portion of the mass bodies. The at least one straight section extends in a parallel direction to an axis of rotation of the belt spool between opposing housing sides of the belt retractor housing. Support for this amendment may be found in Applicants' application at paragraphs [0007]-[0009] and [0020], and Figure 2.

Schmidt discloses a rotary tightening device for a safety belt. *Schmidt* at Abstract. The device includes a belt take-up shaft 10 rotably mounted in a "U"-shaped belt retractor housing where the belt take-up shaft 10 extends between the two opposing ends of the "U" shaped housing. Connected to one end of the belt take-up shaft 10 transverse to the axis of rotation of the shaft 10 is a pyrotechnically actuated driving wheel 11,12. Disposed in the plane of the driving wheel 11, 12 is a curved tube 16 that stores mass balls 18 in its inner "U"-shaped channel. At one end of the tube 16 is a gas generator receiver 17 that contains a gas generator which releases gas to drive the mass balls 18 out of the tube 16 to accelerate the driving wheel 11, 12 and rotate the belt take-up shaft 10. *Id.* at Col. 7, line 45 through Col. 8, line 10. As illustrated in Figure 1, the curved tube 16 has two straight sections that store the mass balls 18. The straight sections of the tube 16

are disposed in the plane of the driving wheel 11, 12 transverse to the axis of rotation of the shaft 10 and do not extend between the opposing ends of the “U”-shaped housing.

This is unlike Applicants’ invention where the tube includes at least one straight section that stores at least a portion of the mass bodies and which extends in a parallel direction to an axis of rotation of the belt spool between opposing housing sides of the belt retractor housing. To the contrary, Schmidt discloses that the straight sections of the tube 16 are in the plane perpendicular to the axis of rotation of the belt take-up shaft 10 along only one side of the housing. In that Schmidt lacks the noted elements of claim 1, the rejections based thereon should be withdrawn. Accordingly, Applicants believe that claim 1 and its dependent claims 2-7 are in a condition for allowance.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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